

AMENDMENTS  
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ELECTION LAWS,  
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## Amendments to Election Laws.

An ACT to amend and re-enact section 70 of the Code of Virginia in relation to pay of electoral boards.

Approved March 12, 1908.

1. Be it enacted by the General Assembly of Virginia, That each member of the electoral board shall receive from the county or city, respectively, for each day of actual service, the sum of two dollars, provided, that no member of such board shall receive more than ten dollars in any one year, except the secretary of such board, who shall in addition to the two dollars herein provided to be paid him for each day of actual service, also receive the amount of the expenses incurred by him in delivering the ballots to the judges of election, not to exceed two dollars per day but in no event shall he receive more than twenty dollars in any one year; and the counties and cities, respectively, shall furnish the necessary stationery for the use of the board, and a bound book in which to record their proceedings.

An ACT to amend and re-enact section 149 of the Code as heretofore amended, in relation to the pay of judges, clerks and commissioners of elections.

Approved March 16, 1908.

1. Be it enacted by the General Assembly of Virginia, That section one hundred and forty-nine of the Code of Virginia be amended and re-enacted so as to read as follows:

§149. Pay of judges and clerks.—The judges, clerks and commissioners of any election held under this chapter shall receive as compensation for their services the sum of two dollars each, and the judge carrying the returns from his voting place to the county clerk's office shall receive for such service the sum of one dollar, and, in addition, the mileage now allowed to jurors for each mile necessarily travelled, and the commissioners of election shall also receive a like mileage, to be paid out of the treasury of the county or corporation in which the election is held.

An ACT to amend and re-enact section 67 of the Code of Virginia of 1887; as amended and re-enacted by an act approved March 5, 1894; as amended and re-enacted by an act approved March 5, 1900; as amended and re-enacted by an act approved July 28, 1902; and amended and re-enacted by an act approved December 8, 1903, in relation to appointment of registrars and providing that registrars and clerks appointed in cities having a population of 50,000 or more by the last United States census shall be compelled to serve unless excused by the judge of the corporation court of such cities and prescribing penalties for failure to do so.

Approved March 12, 1908.

1. Be it enacted by the General Assembly of Virginia, That section sixty-seven of the Code of Virginia of eighteen hundred and eighty-seven, as amended and re-enacted by an act approved March fifth, eighteen hundred and ninety-four; as amended and re-enacted by an act approved March fifth, nineteen hundred; as amended and re-enacted by an act approved December eight, nineteen hundred and three, be amended and re-enacted so as to read as follows:

§67. Appointment of registrars.—It shall be the duty of the electoral board of each city and county, prior to the first day of April, nineteen hundred and four, and every alternate year thereafter, to appoint a registrar for each election district of their respective counties and cities, who shall be a discreet citizen and resident of the election district in and for which he is appointed, and who shall not hold any office by election or appointment during his term which shall be two years from the first day of May following his appointment and until his successor is duly appointed and qualified, and any registrar now holding such office shall within ten days from the passage of this act give up his office, and failing to do so his powers as registrar shall at once cease, and the electoral board shall appoint a registrar in his place. In the city of Richmond it shall be lawful for each registrar to appoint a clerk and to administer to him the same oaths as those taken by the registrar. The said electoral boards shall, from time to time, fill any vacancy that may occur in the office of registrar.

Every registrar and clerk duly appointed in any city having a population of fifty thousand or more by the last United States census under the provisions of this section shall be compelled to serve, not more than two successive terms, unless excused by the circuit court of the county or the corporation court of the city, or the judge of such court in vacation, having jurisdiction over the electoral board of the city or county in which such registrar or clerk resides. And said court, or the judge thereof in vacation, shall impose a fine of not less than ten dollars nor more than one hundred dollars upon every person so appointed and refusing to serve, unless excused as aforesaid.

In view of special elections likely to be held during the spring months, this is declared to be an emergency act, and in force from its passage.

An ACT to amend and re-enact an act approved January 12, 1904, entitled: An act to provide for furnishing by county treasurers of list of those who are residents of or voters in the incorporated towns of the Commonwealth who have paid their State capitation taxes six months prior to a regular election to be held in the incorporated towns of which they are residents.

Approved March 3, 1908.

1. Be it enacted by the General Assembly of Virginia, That an act approved January twelfth, nineteen hundred and four entitled an act to provide for furnishing by the county treasurers of list of those who are residents of or voters in the incorporated towns of the Commonwealth who have paid their State capitation taxes six months prior to a regular election to be held in the incorporated towns of which they are residents, and to comply with section thirty-eight of the Constitution, be amended and re-enacted so as to read as follows:

The treasurer of every county in this Commonwealth in which any incorporated town is located, in which a regular election is to be held on the second Tuesday in June in any year in pursuance of law, and in which a local option election may, by reason of its population, be ordered as provided by law, shall furnish the clerk of the circuit court of his county with a list of the residents of said incorporated town who have paid the State capitation tax provided by law six months prior to the second Tuesday in June.

The said lists shall be prepared and posted in all respects as it is provided for in action thirty-eight of the Constitution; and the treasurer shall receive such compensation as is now provided by law for similar services in preparing lists required by section thirty-eight of the Constitution.

§2. All acts and parts of acts inconsistent with this act are hereby repealed.

§3. In view of the fact that certain special or local option elections will take place before this act can become a law in regular course, an emergency exists, and this act shall be in force from its passage.

An ACT to amend and re-enact sections 92 and 98 of the Code of Virginia, as amended by an act approved March 14, 1906, entitled: An act to amend and re-enact sections 92 and 98 of the Code of Virginia, as amended by an act approved December 18, 1903, entitled: An act to amend and re-enact chapter 9 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, approved May 20, 1903, entitled: An act to amend and re-enact chapter 9 of the Code of Virginia of 1887, in relation to election of State, county, district and city officers, and the terms of their offices and filling vacancies.

Approved February 25, 1908.

1. Be it enacted by the General Assembly of Virginia, That sections ninety-two and ninety-eight of the Code of Virginia, as amended by

an act approved March fourteenth, nineteen hundred and six, entitled "an act to amend and re-enact sections ninety-two and ninety-eight of the Code of Virginia, as amended by an act approved December eighteen, nineteen hundred and three, entitled 'an act to amend and re-enact chapter nine of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, approved May twenty, nineteen hundred and three, entitled 'an act to amend and re-enact chapter nine of the Code of Virginia of eighteen hundred and eighty-seven, in relation to election of State, county, district and city officers, and the terms of their offices and filling vacancies," be amended and re-enacted so as to read as follows:

§92. Sheriffs, attorneys for the Commonwealth, commissioners and treasurers; when elected; term of office.—Sheriffs, attorneys for the Commonwealth and county treasurers shall be chosen by the qualified voters of the respective counties at the general election on the Tuesday after the first Monday in November nineteen hundred and three, and every fourth year thereafter, and shall hold their offices for the term of four years from the first day of January next succeeding their election. The commissioners of the revenue for each county shall be chosen by the qualified voters of the respective counties at the general election on the Tuesday after the first Monday in November, nineteen hundred and eleven, and every four years thereafter, and shall hold their offices for the term of four years from the first day of January next succeeding their election. The commissioners of revenue now in office shall continue to discharge the duties of their respective offices until their successors shall be elected and qualified.

§98. Providing for officers of cities, their election or appointment and term of office.—In each city of this Commonwealth there shall be elected by the qualified voters thereof on the second Tuesday in June, nineteen hundred and four, and every four years thereafter, a mayor, who shall be the chief executive officer of such city, whose term of office shall begin on the first day of September succeeding his election, and continue for four years thereafter. On Tuesday after the first Monday in November, nineteen hundred and five, and every four years thereafter, the qualified voters of each of the cities of this Commonwealth shall elect a city sergeant, an attorney for the Commonwealth, a city treasurer, and all other city officers elected by such qualified voters, whose election is not otherwise provided for by law, whose term of office shall begin on the first day of January next succeeding their election, and continue for four years thereafter. In each city which has a court in whose office deeds are admitted to record, except the cities of Bristol, Radford and Buena Vista there shall be elected by the qualified voters on Tuesday after the first Monday in November, nineteen hundred and five, and every eight years thereafter, a clerk of such court be called the clerk of the corporation or hustings court, whose term of office shall begin on the first day of February of the second year after such election, and shall continue thereafter for eight years, and in the city of Richmond there shall be elected also at the same time and for the same terms a clerk of the chancery court and a clerk of the law and equity court of the city of Richmond, whose term of office

shall begin on the first day of February of the second year after such election.

In cities having a population of thirty thousand or more there shall be elected by the qualified voters a separate clerk of the circuit court of such city on Tuesday after the first Monday in November, nineteen hundred and three, and every eight years thereafter, whose term of office shall begin on the first day of January, succeeding his election, and continue thereafter for eight years: provided, that the terms of such clerks first elected under this section shall begin on the first day of February, nineteen hundred and four, and shall expire on the first day of January, nineteen hundred and twelve: provided, that the present terms of the clerks of city courts not herein otherwise expressly provided shall continue until the first day of February, nineteen hundred and four.

In the cities of Radford, Bristol and Buena Vista there shall be elected by the qualified voters on Tuesday after the first Monday in November, nineteen hundred and three, and every eight years thereafter, unless such courts are sooner abolished, a clerk of such city court, to be called the clerk of the corporation court, whose term of office shall begin on the first day of February following his election, and continue for eight years thereafter, unless the said court shall be sooner abolished.

The commissioners of the revenue for each of the cities of this Commonwealth shall be appointed by the corporation or hustings court of their respective cities, or by the judges of such courts in vacation; or if there is no such corporation or hustings court, then by the circuit court having jurisdiction in such city at some time between the first day of July and the first day of October in the year nineteen hundred and nine, and shall hold their offices for the term of four years from the first day of January next succeeding their appointment. On Tuesday after the first Monday in November, nineteen hundred and thirteen, and every four years thereafter, the qualified voters of each of the cities of the Commonwealth shall elect a commissioner of the revenue, whose term of office shall begin on the first day of January next succeeding his election and continue for four years thereafter. The commissioners of revenue now in office shall continue to discharge the duties of their respective offices until their successors shall be appointed and qualified.

2. All provisions of any city charter in conflict with this section are hereby repealed.

3. All acts and parts of acts inconsistent with this act are hereby repealed.

## AN ACT

### IN RELATION TO PAYMENT OF POLL TAX.

An ACT to prescribe the manner in which a duly registered voter who has not been assessed with his State capitation tax may pay the same, and to prescribe penalties for a failure on the part of clerks and treasurers to observe the provisions of this act.

Became a law without governor's signature, December 4, 1903.

1. Be it enacted by the General Assembly of Virginia, That if any duly registered voter in any city or county in this Commonwealth apply to the treasurer of such city or county to pay his State capitation tax, and such treasurer is prevented from receiving such tax because the same has not been assessed against such applicant, such duly registered voter may thereupon apply to the county clerk of his county, or the clerk of the corporation or hustings court of his city, as the case may be, for a certificate that he is a duly registered voter. The clerk shall deliver such certificate to the applicant forthwith and deliver a copy thereof to the commissioner of the revenue, and upon presentation of such certificate to the treasurer of the county or city the treasurer shall accept payment of such State capitation tax from such voter and give a receipt therefor. The clerk issuing any such certificate shall keep a correct record of all that are issued by him and transmit a copy thereof to the auditor of public accounts prior to the first day of June of each year; and the auditor of public accounts shall charge the respective treasurers with such moneys as appear from the reports of the respective clerks to have been paid to such treasurers for State capitation taxes under the provisions of this act; and the auditor of public accounts shall require a settlement for such State capitation taxes of each treasurer in like manner as is required by law for a settlement of moneys received for other taxes assessed by the commissioner of the revenue. If any clerk or treasurer shall fail to perform the duties required of him by this act he shall be fined not less than one hundred dollars nor more than one thousand dollars for each failure.

2. This act shall be in force from its passage.